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GROUP 260

780.29767X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas J. CAMPANA, JR. et al
Serial No.: 07/702,938
Filed: May 20, 1991
For: SYSTEM FOR INTERCONNECTING ELECTRONIC
MAIL SYSTEMS BY RF COMMUNICATIONS
Group: 2608
Examiner: G. Oehling

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2/3/95

**AMENDMENT PURSUANT TO 37 C.F.R. §1.116 --
EXPEDITED PROCEDURE -- EXAMINING GROUP 2608**

Honorable Commissioner of
Patents and Trademarks
BOX AF
Washington, D. C. 20231

November 7, 1994

Sir:

This is in response to the Final Rejection of August 25,
1994.

IN THE CLAIMS:

Please cancel claim 86 without disclaimer or prejudice.

Please amend claims 24 and 45 as follows:

Sub
F,
E,
cont

~~1.
24. (Amended) A system for connecting a plurality of
electronic mail systems each transmitting originated
information originating from one of a plurality of originating
processors to at least one of a plurality of destination
processors comprising:~~

~~at least one interface switch, the at least one interface switch being coupled to each of the plurality of electronic mail systems for receiving the originated information originating from the one of the plurality of originating processors in one of the electronic mail systems for transmission to the at least one of the plurality destination processors in another of the electronic mail systems; and~~

~~an RF information transmission network, coupled to the at least one interface switch, for transmitting the originated information received from the one of the at least one interface switch by RF transmission to at least one RF receiver which transfers the originated information to the at least one of a plurality of destination processors within the another of the electronic mail systems[.]; and wherein~~

~~each of the plurality of electronic mail systems transmits other information from its plurality of originating processors to its plurality of destination processors through a wireline without using the RF information transmission network.~~

22.

45.

(Amended) ~~A method for connecting a plurality of electronic mail systems each transmitting originated information originating from one of a plurality of originating processors to at least one of a plurality of destination processors comprising:~~

~~transmitting the originated information originating~~
from one of the plurality of originating processors in one of
the electronic mail systems to an interface switch;

transmitting the originated information from the
interface switch to an RF information transmission network;
and

transmitting the originated information with the
RF information transmission network to at least one RF
receiver which transfers the originated information to the at
least one of a plurality of destination processors within
another of the electronic mail systems[.]; and wherein

each of the plurality of electronic mail systems
transmits other information from its plurality of originating
processors to its plurality of destination processors through
a wireline without using the RF information transmission
network.

REMARKS

Examiner Oehling is thanked for the courtesy extended to the undersigned during an interview which occurred on October 12 in the above-referenced application.

As is indicated on the Examiner Interview Summary Record, the Examiner agreed that the amendment of the claims as set forth in claims 24 and 45 will overcome Zabarsky et al. and further that the "finality of the Office Action will be withdrawn". The amendments to claims 24 and 45 are identical to those presented at the interview.

The claimed invention is a system and method for connecting a plurality of electronic mail systems each transmitting originated information originating from one of a plurality of originating processors to at least one of a plurality of destination processors. The subject matter of the claimed invention is illustrated in Figs. 8 and 9 which disclose an architecture which permits an originating processor within one electronic mail system to use an RF information transmission network to transmit originated information to a destination processor in another network by RF transmission to at least one RF receiver which transfers the originated information to the at least one of a plurality of destination processors within another of the electronic mail systems. Furthermore, each of the plurality of electronic mail systems transmits other information from its plurality of originating processors to its plurality of

destination processors through a wire line without using the RF information transmission network. This recitation of transmission of information through a wireline is how electronic mail systems currently operate.

Newly submitted claim 86 has been cancelled in view of the Examiner's restriction thereof. Applicants will proceed with the filing of a divisional application on the subject matter of claim 86.

Claims 24 and 45 stand rejected under 35 USC 102(b) as being anticipated by Zabarsky et al. As has been stated above, the amendment to claims 24 and 45 has been acknowledged as overcoming the rejection thereof over Zabarsky et al. However, applicants traverse the findings which the Examiner has made in the rejection of claims 24 and 45 as allegedly being anticipated by Zabarsky et al.

Specifically, the Examiner reasons as follows:

Consider claims 24 and 45. Zabarsky et al. disclose in figures 1, 2, and 6 a system for connecting a plurality of electronic mail systems (100, 600, and 602) which transmit originated information from an originating processor (104, 106, or 108) to a destination processor (106). The system comprises at least one interface switch (integration of the paging executive 212 and a data packet switch 214, note col. 5, lines 34-38), which is coupled to each of the plurality of e-mail systems, for receiving originated information from an originating processor in one e-mail system and transmitting the information to a destination processor in another e-mail system. It should be noted that transmission amongst the e-mail system can be hard-wire (606) as opposed to a radio

link (608). The system further comprises an RF transmission network (NCP 204 and base transceivers 200-202), coupled to the interface switch, for transmitting the originated information received from the interface switch to an RF receiver (1025) within the destination processor (106) which resides in the other e-mail system.

The premise of the Examiner's reasoning is that Zabarsky et al. contains a plurality of electronic mail systems and a system for connecting them. This reasoning is erroneous. Zabarsky et al. merely disclose a wide area wireless system which provides each receiving unit in the system with a unique address. Zabarsky et al. do not disclose any electronic mail systems and do not disclose a system for connecting electronic mail systems. The Examiner's interpretation of Zabarsky et al. is at odds with what a person of ordinary skill in the art would consider Zabarsky et al. to teach. It is submitted that a person of ordinary skill in the art would not consider Zabarsky et al. to even disclose one electronic mail system, let alone a plurality of electronic mail systems which are interconnected by an RF information transmission network. Thus, it is submitted that prior to amendment claims 24 and 45 were not anticipated by Zabarsky et al. for the reason that the Examiner has improperly interpreted Zabarsky et al. to include plural electronic mail systems and an RF information transmission network for connecting the plurality electronic mail systems.

Claims 25-44 and 46-85 stand rejected under 35 USC 103 as being unpatentable over Zabarsky et al. As has been stated

above, the amendment of the claims has been stated on the record to remove Zabarsky et al.

Applicants traverse the Examiner's reasoning in reaching the conclusions that claims 25-44 and 46-85 prior to amendment were allegedly rendered obvious over Zabarsky et al. In the first place, as been stated above, Zabarsky et al. merely disclose a wide area wireless system and do not disclose the combination of plural electronic mail systems which are connected by an RF information transmission system as set forth in the claims.

The Examiner reasons with respect to claims 25 and 46 on page 4 that "it would have been at least obvious, if not inherent, to add the address of the interface switch (distant PEX) to the originated information such that the information is properly routed to and received by the destination processor in the distant e-mail system". This reasoning is based upon impermissible hindsight even assuming arguendo somehow Zabarsky et al. could be interpreted as the Examiner has stated which interpretation applicants traverse. The interface switch of the present invention is a destination which is addressable from an electronic mail system or outside any electronic mail system to permit the originated information to be delivered to the RF information transmission system for ultimate transmission to a destination processor in an electronic mail system. The Examiner's reasoning regarding an address is erroneous for the reason that the claimed

address has nothing to do with the functions of the Zabarsky et al. system.

The Examiner's reasoning regarding claims 26, 28, 30, 47 and 49 is traversed. Specifically, the Examiner has reasoned that "it is well known in the art when routing a message from an origination point to a destination point, to remove previously used addresses and to add new addresses of intervening points between the origination and destination points". In the first place, applicants traverse this conclusion without the citation of prior art. Moreover, even assuming that the broadly stated principle has some basis in fact, there is no basis in the record why a person of ordinary skill in the art would be led to utilize this principle to modify Zabarsky et al. to arrive at the subject matter of claims 26, 28, 30, 47 and 49.

The Examiner's reasoning regarding claims 27, 29, 31, 48 and 50 is traversed. There is no basis in the record why "it would have been obvious to add the identification of the RF receiver at any intermediate point before the RF receiver". This reasoning is based upon impermissible hindsight and has no basis in fact as being applicable to the teachings of Zabarsky et al. to arrive at the subject matter of claims 27, 29, 31, 48 and 50.

The Examiner's reasoning regarding claims 32-43 and 51-60 is traversed. There is no basis why a person of ordinary skill in the art would consider using an interface switch for

performing the assembling of the originated information into a packet for transmission to the RF transmission network. While data packet transmission is in fact well known, there is no basis why the broad principle of data packet transmission would lead a person of ordinary skill in the art to modify the subject matter of Zabarsky et al. to arrive at the subject matter of claims 32-43 and 51-60.

The Examiner's reasoning regarding claims 44 and 61 is traversed. There is no basis in the record why it would be obvious to a person of ordinary skill in the art to modify Zabarsky et al. to add the address of the interface switch to the originated information by the originating processor. There is no counterpart in Zabarsky et al. of even an interface switch, let alone the claimed operation regarding addressing. The Examiner's conclusion that "it would have been obvious to add the interface switch address at the originating processor or at any other point in the route part of the particular interface" is based upon impermissible hindsight.

The Examiner's reasoning regarding claims 62-64 is traversed. Claim 62 recites that the at least one RF receiver transfers the originated information from storage to the at least one destination processor in the another of the electronic mail systems at a time subsequent to reception of the originated information by the at least one receiver. This subject matter is clearly not disclosed by Zabarsky et al.

The Examiner's reasoning regarding claims 63 and 64 is traversed for the reasons set forth above with regard to claim 62.

The Examiner's reasoning regarding claims 65-67 is traversed for the following reasons. The Examiner's reading of claims 65-67 is unduly broad. These claims recite that the transfer of the originated information occurs after the at least one RF receiver is connected to the at least one destination processor and the another of the electronic mail systems. The Examiner is reading these claims only as if the finite time for signal propagation may be read as the claimed transfer after the at least one RF receiver is connected. It is submitted that this is an improper reading of claims 65-67.

The Examiner's reasoning regarding claims 68 and 69 is traversed. There is no basis in the record why it is either obvious or inherent to include the necessary software to transfer the originated information to the destination processor such that the information is accessible to the user. This is nothing more than impermissible hindsight.

The Examiner's reasoning regarding claims 70-85 is traversed. There is no basis why a person of ordinary skill in the art would have been led to modify Zabarsky et al. to include the claimed transmission paths as set forth in claims 70-74. Furthermore, there is no basis in the record why it would be obvious to modify Zabarsky et al. to include electronic mail systems as defined in claims 75-85.

Submitted herewith is the Supplemental Declaration referred to on page 4 of the May 23, 1994 Second Supplemental Amendment.

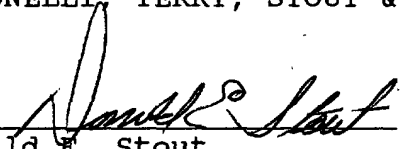
The citation of prior art but not applied in the rejection of the claims is noted. However, it is submitted that these references do not cure the deficiencies of Zabarsky et al. as noted above.

In view of the foregoing amendments and remarks, it is submitted that each of the claims is in condition for allowance. Accordingly, favorable reconsideration of the rejection of claims 24-85 and early allowance thereof is respectfully requested.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (780.29767X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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DES:dlh